

**Town of Shrewsbury - Board of Selectmen**  
**Richard D. Carney Municipal Office Building – Selectmen’s Meeting Room**  
**100 Maple Avenue**  
**Monday, June 7, 2004 at 6:45 PM**

**Minutes**

**Present:**

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux, Michael Hale, Assistant Town Manager and T. Philip Leader, Town Counsel. Mr. DePalo, Chairman, called the meeting to order at 6:51 pm.

**Preliminaries:**

1. Approve bills, payrolls and warrants #0497 in the amount of \$1,562,359.83, and #0498 in the amount of \$2,775,647.03. Motion was made, seconded and unanimously voted to approve.
2. Approve Minutes of May 10, 2004, May 17, 2004 and June 3, 2004. Motion made, seconded and unanimously approved.
3. Announcements – Mr. DePalo reminded everyone that outdoor water restrictions went into effect today. Restrictions are based on street address number. Even numbered addresses may water Tuesday, Thursday and Saturday and odd numbered addresses on Wednesday, Friday and Sunday. No outdoor watering on Monday. Also, the Corrizzini Board Ramp will be undergoing renovations; it will be closed intermittently during next few weeks. It will be open July 3, July 4, and July 5 and shut down permanently July 6 until late July and intermittently again until completion in August. The boat ramps at Oak Island can be used during this time period. Mr. DePalo announced that the Shrewsbury High School graduation took place last week and that he and several members of the Board had occasion to witness first hand the excellent job our schools are doing. Mr. Hammond echoed Mr. DePalo’s comments and added that the SHS Girls Lacrosse team is playing a championship game on Friday, June 11. He urged residents to attend and lend their support.
4. Town Manager’s Report - Nothing other than what is on the Agenda.

**Executive Session:**

5. 6:45pm – Philip Leader, Town Counsel. Collective bargaining and value of real property.

Motion was made at 6:52 pm, seconded, and unanimously voted to go into executive session for the purpose of discussing collective bargaining and value of real property and to reconvene into open session. The Board was polled, Mr. Card, yes, Mr. Lebeaux, yes, Mr. Fiore, yes, Mr. Hammond, yes, and, Mr. DePalo, yes.

Motion was made, seconded, and unanimously voted to adjourn executive session and to reconvene into open session at 7:10 pm.

**Meetings:**

**Public Hearings:**

Mr. Fiore recused himself from the three scheduled hearings, citing appearance of possible conflict of interest.

7. 7:05pm – John & Michelle Morrissey d/b/a Morrissey Motors, 516R Boston Turnpike, Commercial Garage License for general automotive repair. Hours of Operation: Monday-Friday 8:00am-6:00pm & Saturday 9:00am-3:00pm. Michelle Morrissey and Joseph Armenti, property owner, were present. Ms. Morrissey stated that their business operation was exactly as stated in the application. Mr. DePalo stated that all reports from department heads were favorable as well as the CORI reports. As there were no questions from the Board the hearing was opened to the public. As there was no public comment, motion was made, seconded and voted four in favor with one abstention to close the hearing. Motion was made to approve a Commercial Garage License for Morrissey Motors, 516R Boston Turnpike for the hours of operation as stated in their application. Motion was seconded and vote four in favor with one abstention.

8. 7:15pm – Sullivan Tire Co., Inc., 249-253 Hartford Turnpike, Donald Gilbar, Manager. Commercial Garage License for sales, repair and installation of tires. Hours of Operation: Monday-Friday 7:00am-6:00pm, Saturday 8:00am-5:00pm. Donald Gilbar, manager, was present. Mr. Gilbar outlined the type of operation that Sullivan Tire would be running. Mr. Depalo advised that all department head and CORI reports were favorable. After a few questions by the Board the hearing was opened to the public and as there were no comments a motion was made, seconded and voted four in favor with one abstention to close the hearing. Motion was made to approve the application of Sullivan Tire Co., Inc. for a Commercial Garage License for the hours and type of operation as stated in their application, subject to ZBA Restrictions of 8/20/03. Motion was seconded and voted four in favor with one abstention.
9. 7:30pm – Philip DiBlasi, Shrewsbury Lube Shop d/b/a Texaco Xpress Lube, 507 Boston Turnpike, Commercial Garage License, for general automotive repair. Hours of Operation: Sunday-Saturday 8:00am-6:00pm. Mr. DiBlasi, property owner, was present and explained that the lease has expired for the present occupant of this facility and he would like to open a similar type business in its place. Nothing would change. Mr. DePalo said that all reports from department heads and the CORI were favorable. Following a few questions from the Board the hearing was opened to the public. As there was no public comment, motion was made, seconded and voted four in favor with one abstention to close the hearing. Motion was made to approve the application as stated of Shrewsbury Lube Shop d/b/a Texaco Xpress Lube, 507 Boston Turnpike for Commercial Garage License, subject to ZBA Restrictions of 1/13/88. Motion was seconded and voted four in favor with one abstention.

Mr. Fiore rejoined the meeting.

#### **Old Business:**

10. Selectmen's Meeting Schedule July-December, 2004. Motion was made to approve the meeting schedule as presented.
11. Report from Chief Sampson re Truck Traffic on Cherry Street. After a discussion, the Board decided to ask the Engineering Dept. to do a traffic count on this street to determine traffic volume before making a decision. Resident will be notified.
12. Report from Chief Sampson re Stop Sign – Birch Avenue & Karen Avenue. Chief Sampson does not recommend installation of stop sign, as area does not meet criteria. No action taken. Resident to be notified.
13. Report from Chief Sampson re Traffic Recommendations – North Quinsigamond Avenue/U.S.Postal Service. Chief agrees with Highway Supt. Knipe that "trucks entering" signs would be appropriate. However, the speed limit would be determined by Mass. Highway standards and a study could result in a higher speed limit than what is currently posted. Therefore, he did not recommend a traffic study. Mr. Knipe will be instructed to put up the necessary signage and the Postal Authorities will be advised.

#### **New Business:**

14. Day of Town Election. Mr. Morgado proposed this change due to problems in setting up one polling place on Sunday due to activities held at that facility. Hold until decision is made on new fire station, polling place would be relocated to that location.
15. Reappointment of Town Counsel, Attorney T. Philip Leader for a term of one year to expire June 30, 2005. Motion was made to reappoint T. Philip Leader as Town Counsel for a term of one year expiring on June 30, 2005. Motion seconded and unanimously voted.
16. Request from Fallon Community Health Plan for 21<sup>st</sup> Fallon Five Road Race to use portions of town streets on Sunday, September 26, 2004 from 11:00am to 1:30pm. Motion was made, seconded and unanimously voted to approve this request.
17. Sign Town Clerk's Bond for \$9,500.00. Motion was made, seconded and unanimously voted to authorize the Board Clerk, Mr. Card, to sign the bond.
18. Request from Shrewsbury Little League to hold Annual Little League Parade on Sunday June 27, 2004 at 12:30pm. The parade will proceed from Beal School down Main Street to Dean Park. Motion was made, seconded and unanimously voted to approve this request.
19. Pepper's Fine Foods Catering, 43 Hudson Street, Northborough. One Day All Alcohol License for reception & dinner at Hoagland-Pincus Conference Ctr., 222 Maple Avenue, Thursday, June 17, 2004 from 6:00pm to 11:00pm. Motion was made, seconded and unanimously voted to approve the application as stated.

20. Pepper's Fine Foods Catering, 43 Hudson Street, Northborough. One Day All Alcohol License for reception & dinner at Hoagland-Pincus Conference Ctr., 222 Maple Avenue, Saturday, June 19, 2004 from 6:00pm to 11:00pm. Motion was made, seconded and unanimously voted to approve the application as stated.
21. Letter from Animal Control Officer Leona Pease re Dog kept by Mrs. Glenda Smith at 24 Philips Avenue. Hold until June 21<sup>st</sup> meeting as Old Business.
22. Act on memo from Carolyn Marcotte, Treasurer/Tax Title Custodian, re 47 Lear Street, Plot 42, Plate 19. Has been cleared no action required. Motion was made to vacate the foreclosure decree in Land Court. Motion was seconded and unanimously voted.
23. Act on memo from Carolyn Marcotte, Treasurer/Tax Title Collector, re 56 So. Quinsigamond Avenue Land Court Case 127808 TL. No action required, matter resolved.
24. St. Mary's Syrian Orthodox Church, 1 Industrial Drive, One Day All Alcohol License, for fund raiser, Saturday, June 19, 2004, 8:00pm to 12:00 midnight. No action. Application withdrawn on June 7, 2004.
25. One Day Wine & Malt Beverages License for Creedon & Co., 39 Jolma Road, Worcester, MA for Holy Cross Athletics Dept. Cookout/Reception at Donahue Rowing Center, 237 North Quinsigamond Avenue, Tuesday, June 8, 2004, from 5:00pm to 8:00pm. Motion was made, seconded and unanimously voted to approve the application as stated.

### **Communications:**

26. Noted copy mailed: Dept. of Housing & Community Development Downtown Workshops: June 2004. Refer to Engineering.
27. Noted copy mailed: CMMPO Meeting Notice, 5/29/04.
28. Noted copy mailed: Letter from Rep. Polito re Chapter 40B Reform.
29. Noted copy mailed: Memo from Registry of Motor Vehicles Deputy General Counsel re Issues Relating to Class 2 Dealers under G.L. 140 Section 58.
30. Noted copy mailed: MMA Action Alerts #6, 5/12/04 & #7, 5/24/04.
31. Noted copy mailed: Materials from Dept. of Telecommunications & Energy, Cable Television Division re Motion to Review Form 100.
32. Noted copy mailed: ZBA Hearing Agenda, 6/1/04.
33. Noted copy mailed: E-mail from Mike Kiely re abatement question and reply from Mr. Fiore.
34. Noted copy mailed: Westborough Treatment Plant Meeting Minutes, 4/14/04
35. Noted copy mailed: Veolia Water Monthly Compliance Report, April 2004.
36. Noted copy mailed: School Committee Meeting Minutes, 4/7/04.
37. Noted copy mailed: Letter from Mr. Morgado to Elizabeth Klatsky, 4 Hill Street, re fence placement.
38. Noted copy mailed: DEP Request for Determination of Applicability from Tighe & Bond re Vinny T's of Boston. (on file on BOS office) Forward to Building Inspector and Engineer for comments.
39. Noted copy mailed: E-mail from David Couture, 4 Wachusett Circle re Article 20. Action taken at Town Meeting.
40. Noted copy mailed: ZBA Hearing Minutes, 4/14/04, Scott Malboeuf, 208 Main Street.
41. Noted copy mailed: ZBA Hearing Minutes, 4/14/04, Ralph Anderson, 100 Lake Street.
42. Noted copy mailed: ZBA Hearing Minutes, 4/27/04, Brian Horne, 9 Miles Avenue.
43. Noted copy mailed: ZBA Hearing Minutes, 4/27/04, George Army, 25 Stoneland Road.
44. Noted copy mailed: ZBA Hearing Minutes, 4/27/04, Robert & Sheila Birney, 33 Bruce Avenue.
45. Noted copy mailed: ZBA Hearing Minutes, 4/27/04, LK Properties, LLC/Chris Prefontaine, 22 Vega Drive.
46. Noted copy mailed: Planning Board Meeting Agenda, 6/3/04.
47. Noted copy mailed; E-mail from Peter Collins, 94 North Street, re Building Committee. Note receipt and hold for appointments.
48. Noted copy mailed: School Committee Meeting Agendas - 5/26/04, 6/9/04.
49. Noted copy mailed: Municipal Benchmarking Newsletter, May, 2004.
50. Noted copy mailed: E-mail from Rich Marc-Aurele re Early Morning Noise. This matter was dealt with in the past send copy of Police Report to complainant. Also look into dumpster situation.
51. Noted copy mailed: Draft 2004 SHI from Dept. of Housing & Community Development.
52. Noted copy mailed: City & Town, Vol. 17, No. 5 - May 2004.
53. Noted copy mailed: Letter from Town Moderator Kevin Byrne reappointing Gene Buddenhagen, James McCaffrey and Clare O'Connor to Finance Committee for three year terms expiring June 30, 2007.

54. Noted copy mailed: Letter from Town Moderator Kevin Byrne reappointing Anthony Froio to the Personnel Board for a three year term expiring June 30, 2007.
55. Noted copy mailed: Notice from Angela Snell, Director Parks & Recreation re renovation of Corrizzini Boat Ramp.
56. Noted copy mailed: ARC of Innovation Update, May 25, 2004. Mr. Hammond advised that he had been appointed to the Executive Board of this group and will be representing the Town's interests.
57. Noted copy mailed: Street Sweeping Report as of 5/24/04.
58. Noted copy mailed: MBTA Agenda for 6/3/04 Meeting, FY05 Budget Request & Minutes of 4/13/04.
59. Noted copy mailed: Enaya Place Site Approval Application from Riverside Consulting.
60. Noted copy mailed: Invitation to dedication ceremony of the India Society Center on June 19, 2004. Find out time of event.
61. Noted copy mailed: Letter from John Masiello declining appointment to the new Building Committee for Sherwood Middle School
62. Noted copy mailed: E-mail from Michael Perna expressing interest in reappointment to Historic District Commission. Motion was made, seconded and unanimously voted to reappoint Mr. Perna to the Historic District Commission for a term of three years expiring on June 30, 2007.
63. Noted copy mailed: Letter from U.S. Atty. Michael J. Sullivan, District of Massachusetts, re Patriot Act.
64. Noted copy mailed: MMA Legislative Bulletin, May 28, 2004, Vol. 11:2.
65. Noted copy mailed: Letter from MassHighway re purchase of fuel by municipalities.
66. Noted copy mailed: Letter from Westborough Treatment Plant Board to MEPA Office re Environmental Impact Report Boston Hill Corporate Center. Forward to Building Inspector for further information.
67. Noted copy mailed: Notice from Mass. DEP re Public Comment Period & Public Hearing for Clean Water & Drinking Water State Revolving Fund (SRF) programs.
68. Noted copy mailed: Letter from Mr. Morgado appointing Kathleen Keohane to the Planning Board. New appointment as Jonathan Wright has stepped down.
69. Noted copy mailed: E-mail from Robert Ljunggren, Jr., 166 Walnut Street, expressing interest in serving on Fire Station Building Committee. Hold until decision on appointments are made.

Motion was made, seconded, and unanimously voted to adjourn at 8:02pm.

Respectfully submitted,

Janice C. McCoy  
Secretary